

S.349

An act relating to emergency funding for local government.

The House proposes to the Senate to amend the bill by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. COVID-19 EXPENSE REIMBURSEMENT; LOCAL
GOVERNMENT

(a) In fiscal year 2020, \$5,200,000.00 shall be appropriated from the Coronavirus Relief Fund to the Agency of Administration for the purpose of issuing grants to units of local government to reimburse eligible COVID-19 expenses incurred on or before December 30, 2020, including hazard pay, supplies and equipment, sanitation, facility alterations, overtime compensation, redirection of staff for first-response needs, and any other eligible COVID-19 expenses not covered by other funding sources, including funding provided by the Federal Emergency Management Agency. To be eligible for reimbursement under this section, COVID-19 expenses shall be consistent with the uses authorized in section 5001 of the Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No.116–136 (the CARES Act), as may be amended, and any guidance or regulations issued pursuant to that section.

(b) The Secretary of Administration or designee shall develop grant guidelines for determining eligibility of COVID-19 expenses and requirements for reimbursement for units of local government. In determining the allocation of reimbursements under this section, the Secretary may prioritize need,

including the local unemployment rate and the percent of eligible COVID-19 expenses relative to the total budget.

(c) From the amount appropriated to the Agency of Administration under this section, the Secretary or designee shall allocate:

(1) \$4,850,000.00 in grants that shall not exceed \$200,000.00 per recipient for reimbursement of eligible COVID-19 expenses to the following:

(A) Vermont counties in amounts that shall not exceed \$1.00 per person as determined from the 2019 town census data published by the U.S. Census Bureau; and

(B) Vermont cities, towns, unorganized towns or gores, and any of the unified towns and gores of Essex County including those incurred by incorporated villages, fire districts, consolidated water districts created under 24 V.S.A. chapter 91, and consolidated sewer districts created under 24 V.S.A. chapter 105 therein. Grants allocated under this subdivision (c)(1)(B) shall not exceed \$20.00 per person as determined from the 2019 town census data published by the U.S. Census Bureau.

(2) \$200,000.00 to solid waste management districts organized under 24 V.S.A. chapter 121 in grants for reimbursement of eligible COVID-19 expenses. The Secretary or designee may determine any limitations to the amount of the grants allocated under this subdivision.

(3) An amount not to exceed \$150,000.00 may be used to contract with one or more regional planning commissions for technical assistance to be provided to units of local government in identifying and documenting eligible COVID-19 expenses. Notwithstanding any other contrary provision of law, the contract may be a sole source contract.

(4) In the event that applications for reimbursements exceed the amounts allocated, grants may be prorated and the Secretary or designee shall prioritize grants to municipalities with populations under 2,500.

(d) On or before September 15, 2020, the Secretary of Administration shall report to the Joint Fiscal Committee on program development and eligible COVID-19 expenses reimbursed pursuant to this section. The Secretary shall provide recommendations for any legislative action, including reallocation of funds for reimbursement of eligible local government COVID-19 expenses.

Sec. 2. DEFINITIONS

(1) “CARES Act” means the Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No.116–136, as amended, and any guidance and regulations issued under that act.

(2) “Municipality” means a city, town, or incorporated village.

(3) “Eligible use” means a use of grant funds permitted under the CARES Act to assist a municipality in digitizing land records for online public

access during municipal office closures due to the COVID-19 public health emergency.

Sec. 3. CORONAVIRUS MUNICIPAL RECORDS DIGITIZATION

GRANTS; AGENCY OF ADMINISTRATION

(a) Authorization; appropriation. Of the funds available in the Coronavirus Relief Fund, the amount of \$5,000,000.00 is appropriated to the Agency of Administration to provide grants to eligible municipalities pursuant to this section.

(b) Requirements for grant applicants. A municipality may apply for a grant for an eligible use, provided that:

(1) The municipality was compelled to close its municipal offices or limit access to land records due to the COVID-19 public health emergency response.

(2) The municipality has established and maintained a Restoration and Preservation Reserve Fund pursuant to 32 V.S.A. § 1671.

(c) Grant amount; terms.

(1) The Agency shall establish a formula for determining the amount of grant awards, which shall include a maximum grant amount. The amount of each grant shall be sufficient to ensure that the preceding 40 years of a municipality's land records may be digitized and made available to the public online.

(2) The Agency shall consider whether and by how much grant awards should be adjusted based on:

(A) whether a municipality has received financial assistance from other sources;

(B) the funds available for digitization in a municipality's Restoration and Preservation Reserve Fund;

(C) the number of property transactions within a municipality based on property transfer tax data reported by the Department of Taxes; and

(D) whether a municipality closed or limited access to the municipal clerk's offices during the COVID-19 public health emergency.

Sec. 4. GUIDELINES; REPORTING

(a) Guidelines. Not later than ten days after the effective date of this act, the Agency of Administration shall publish guidelines governing the implementation of the grant program, which at minimum shall establish:

(1) application and award procedures;

(2) standards for eligible uses of grant funds;

(3) standards governing the amount of grant awards to ensure:

(A) the equitable distribution of funds among regions of the State;

and

(B) that grants are based on need and will have a meaningful impact on the ability of the public to access digitized land records online;

(4) procedures to ensure that grant awards comply with the requirements of the CARES Act and that the State maintains adequate records to demonstrate compliance with the Act; and

(5) procedures to prevent, detect, and mitigate fraud, waste, error, and abuse.

(b) Consultation. Before publishing guidelines pursuant to subsection (a) of this section, the Agency shall consult with representatives of the Vermont League of Cities and Towns, the Vermont Municipal Clerks and Treasurers Association, and the Vermont Bar Association.

(c) Reporting. The Agency shall:

(1) provide weekly updates and information concerning grant guidelines, awards, and implementation to the committees of jurisdiction of the General Assembly; and

(2) submit a report to the General Assembly on or before August 15, 2020 detailing the implementation of this section, including specific information concerning the amount and identity of grant recipients, the amount of grant funds expended for eligible uses, and the progress made to expend the grant program funds by December 20, 2020, which shall be publicly available.

(d) In the event that the federal Department of the Treasury determines that an expenditure of funds made available from the CARES Act was not necessary or was otherwise impermissible under the Act, the Agency shall hold

harmless any grant recipient that accepted grant funds in good faith reliance on the State concerning the municipality's application for, or use of, the grant award.

Sec. 5. EFFECTIVE DATE

This act shall take effect on passage.